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APR 28 1954

TO: Director of Central Intelligence
SUBJECT: Tenure of Occupants of Supergrade Positions

1. PROBLEM:

To establish a policy governing the tenure of individuals occupying supergrade positions.

2. ASSUMPTIONS:

- a. The Agency will continue its policy of classifying and establishing its regular civilian positions in accordance with the general principles established by the Classification Act of 1949.
- b. There will continue to be a ceiling on the number of supergrade positions, which shall be established by the Director.

3. FACTS BEARING ON THE PROBLEM:

- a. In accordance with the Classification Act of 1949 all regular civilian positions are assigned a numerical grade within the general schedule of positions. The grade thus established takes into consideration the degree of education, training, experience and responsibility involved in the proper performance of the position.
- b. In accordance with generally accepted qualification standards, an individual is placed in a position only if his education, training, and experience match or exceed the basic requirements of the position and there is a reasonable expectation, based on demonstrated performance in other capacities, that the individual can assume the burden of responsibilities and perform acceptably.
- c. An individual newly hired by the Agency is considered to be on trial or probation for the first year of his service. If he performs acceptably during the one-year period, he is considered to occupy whatever position to which he is assigned on a permanent basis. This distinction between a trial period and so-called "permanent" status is made necessary principally by the requirements of the Veterans Preference Act which confers upon

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veterans certain job protection rights, under normal procedures, with respect to the manner in which their services may be terminated or the manner in which they may be reassigned or demoted.

- d. There are no legal limitations on the number of supergrade positions (GS-16, 17 and 18) which CIA may establish. The Director has determined for the present that the number of individuals who may be placed in supergrade positions will not exceed . This figure excludes 5 positions which have been established by statute, consisting of the Director, the Deputy Director, and three Scientific Intelligence positions, the salaries of the latter three being fixed at a maximum of \$15,000 per annum.
- e. By statute, temporary promotions are recognized and utilized in military services. Temporary promotions of military personnel are made generally where there are insufficient numbers of officers eligible for permanent promotions to meet the grade requirements of the particular service. In a relatively few cases an officer may be promoted to a higher rank only for the period he occupies a specific position, the rank of which is established by law or regulation.
- f. The Public Health Service Act authorizes temporary promotions of Public Health Officers under stated conditions. The concept of these temporary promotions is generally comparable to that of the armed services.
- g. By statute, one category of Foreign Service personnel, namely, Foreign Service Staff Officers, may be promoted temporarily to a higher graded position if they occupy that position. No authority exists for similar promotions of the two other categories, namely, Foreign Service Officers and Foreign Service Reserve Officers. After some experience with temporary promotions of the FSS group the Department of State cancelled the program principally because of the belief that temporary promotions contradict the principles of the regular career program of the Foreign Service.
- h. DISCUSSION:
- a. Individuals who are selected for advancement to or between positions in the supergrade category are, in every respect, key officials of the Agency. They are men who share with the Director the overall management and operating responsibility. They should be able to appreciate the necessity for flexibility in assignments to key positions and place their personal interests second to the interests of the Agency. Were they given a clear understanding of the objectives to be accomplished by limited tenure of positions in the supergrade category there is no reason to believe that they would not accede to the Director's wish to move them at will, consistent with the Agency's mission.

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- b. In some instances, such as a situation where an individual is to replace an incumbent of a supergrade position for an extended period of six months or more, there is no reason for not affording the replacement the pay of the position he would thus assume were it greater than his present pay. Under the same conditions of a clear understanding, there would be no reason for the individual, thus temporarily reassigned, not to revert to his prior rank and pay upon completion of the temporary detail.
- c. The implications of temporary promotions on the concept and objectives of the CIA Career Service system should be noted. An individual dedicating his working career to CIA service should be able to progress from grade to grade commensurate with his demonstrated abilities. The ceiling on his personal ambition should be no less than the legal ceiling, i.e., GS-18. This would not imply that every new employee of the Agency will, after long service, eventually attain the top grade. It does imply, however, that every new employee may set the top grade as his personal goal. Time, abilities, world conditions, and mission of the Agency will serve as the leveler.

5. CONCLUSIONS:

- a. Although there are certain technicalities raised by legal requirements, it is believed that they are not sufficient to preclude consideration of a policy of discretionary tenure of supergrade positions.
- b. Establishment of a program of promotions with discretionary tenure for individuals in the supergrade category would be consistent with the CIA Career Service concept and would provide administrative flexibility in the assignment of individuals to key positions.

6. RECOMMENDATIONS:

- a. It is recommended that the Director issue a policy statement (Tab A) which will declare that individuals who have been promoted to supergrade positions since 5 July 1953 and those to be promoted to supergrade positions are to be considered as holding the rank and pay of the position for such time as the Director may determine.
- b. Beginning in 1955 and each year thereafter between 1 January and 30 June, the Supergrade Board shall evaluate all those holding "temporary" grades and recommend up to 25 per cent of those holding such grades to reclassification as permanent.

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- c. The Director, by virtue of the power vested in him, may terminate or extend the term of an occupant of a temporary supergrade position for such time and under such conditions as he shall determine.
- d. The Assistant Director for Personnel be directed to make a careful study of the feasibility of seeking legislation which will permit the enforced retirement or separation of those who are holding a permanent supergrade position for 15 years. The Director should be given the power to waive such enforced retirements and extend the term of the occupant of a permanent supergrade position for such time as he may determine.

SIGNED

Harrison G. Reynolds
Assistant Director for Personnel

ANNEXES:

Tab A, Proposed Regulation

ACTION BY APPROVING AUTHORITY:**APPROVED:**

Date: JUL 8 1954

SIGNED

Allen W. Dulles
Director

AD/P:HGR:sm (15 Apr 54)

Distribution:

- OG2 - DCI ✓
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(cc: DCI file via Reading)

Orig. note to AD/P w/ check slip note from EA/DCI:
As you will note, para 6b under recommendations has been ruled out and the proposed regulation has been changed to conform therewith. In doing this the Director said he did not wish to limit the number of officers holding temporary supergrade who could be considered for permanent appointment, i.e., "up to 25 per cent holding such grades to reclassification as permanent."

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